



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Richard T. Lyon
Lyon & Harr, LLP
300 Esplanade Drive
Suite 800
Oxnard, CA 93036

MAILED
DEC 21 2004
Technology Center 2100

In re Application of: Gemmell, et al.)
Application No. 10/684,620)
Filed: October 14, 2003) **DECISION ON PETITION UNDER 37**
For: SYSTEM AND PROCESS FOR) **C.F.R. § 1.84(a)(2) TO ACCEPT**
PRESENTING SEARCH RESULTS) **COLOR DRAWINGS**
IN A HISTOGRAM/CLUSTER)
FORMAT)
)

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed March 18, 2004, requesting acceptance of color drawings.

The petition requests that the color drawings, although not specifically identified but noted as figures 3-6, be accepted in lieu of black and white drawings.

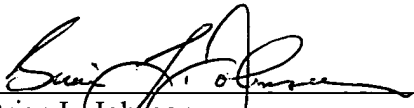
A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed without the required (complete) specification statement, as noted above. In addition, at the time of this decision, the indicated sets of color drawings, have not reached the file.

The petition is **DENIED**.

Petitioner is given one opportunity to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the mail date of this decision.

A handwritten signature in black ink, appearing to read "Brian L. Johnson", is written over a horizontal line.

Brian L. Johnson
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
703-308-0885

BLJ/12/20/04